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10/617,887	07/14/2003	Tanichi Ando	044499-0170	3410

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EXAMINER	
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ART UNIT	**PAPER NUMBER**
3609	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/617,887	ANDO ET AL.	
	Examiner	Art Unit	
	Thuy-Vi Nguyen	3609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The abstract of the disclosure is objected to because it is not written in the proper format. The abstract must be limited to a single paragraph of 150 words or less that provides a concise statement of the technical disclosure of the patent. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Paul (US Patent 6356838).

Regarding to claim 1, Paul discloses an operation service information mediation system comprising:

a group of user terminals possessed by a group of passengers and a group of taxis, respectively, each user terminal having a transmission and reception function via a communication network [...passenger with device 160 and taxis with device 180; see col. 2, lines 25-30; lines 48-55 and figure 1]; and

an information mediating device of an information mediator for mediating operation service information between the group of passengers and the group of taxis [...data centers equipped with servers 130 and 125 for providing the transportation service; see col. 1, lines 49-54; col. 2, lines 65-66 and figure 1], the information mediating device of the information mediator comprising:

an information storage portion, in which taxi information from a group of taxis waiting for passengers, or passenger information from a group of passengers waiting for taxis is stored [...data center stores taxi and passenger information; see col. 4, lines 31-37, col. 6, lines 58-64];

an information retrieval portion for retrieving specific taxi information, which satisfies a taxi selection condition received from a specific passenger, or specific passenger information, which satisfies a passenger selection condition received from a specific taxi, among the stored taxi information, or the stored passenger information [...data center retrieve information from passenger after sending the number of option for pickup such as type of vehicle, time and location; then data center will determine the most appropriate taxi for the passenger base on his/her specific request; see col. 3, lines 40-51; col. 4, line 11-19 and figure 2]; and

an information distribution portion for distributing the retrieved specific taxi

information, or the retrieved specific passenger information to the specific passenger, or the specific taxi, respectively, via the network [...for example data center distributes the specific taxi information to the passenger such as the price, driver experience , safety record etc.. ; see col. 3, lines 52-56, lines 63-65].

Regarding to claim 2, Paul discloses wherein the taxi selection condition received from the specific passenger contains at least one of pick-up location information, car-type information, pick-up time information, presentable service information, and driver's characteristic information, desired by a passenger who waits for a taxi [...taxi received passenger information such as pick-up location, time, and type of vehicle; see col. 3, lines 45-50].

Regarding to claim 3, Paul discloses wherein when the passenger cannot extract specific taxi information which satisfies the taxi selection condition, the taxi selection condition is stored, as the passenger information, together with information of a contact address designated by the passenger [...data center is the mediator that distributes the passenger information to the taxi such as time and location; any confidential data of the passenger are kept only at the data center; see col. 3, lines 45-50; col. 5, lines 10-15].

Regarding to claim 4, Paul discloses wherein the passenger selection condition received from the specific taxi contains at least one of pick-up location information, car-type information, pick-up time information, presentable service information, and driver's characteristic information [...passenger received taxi information such as driver's characteristic information; see col. 3, lines 63-65].

Regarding to claim 5, Paul discloses wherein when the taxi cannot extract specific passenger information, which satisfies the passenger selection condition, the passenger selection condition is stored, as the taxi information, together with information of a contact address designated by the taxi and information of a present location of the taxi [...data center is the mediator that distributes the taxi information to the passenger such as driver's experience or safety record; any confidential data of the driver are kept only at the data center see col. 3, lines 63-65; col. 5, lines 10-15].

Regarding to claim 6, Paul discloses wherein the information mediating device of the information mediator further comprises:

a timer portion for periodic distribution of the extracted specific taxi information, or the extracted specific passenger information to the group of user terminals possessed by the group of passengers and the group of taxis, respectively [...location and travel time information from vehicle is periodically tracked by the data center; see col. 10, lines 13-15].

Regarding to claim 7, Paul discloses wherein the information mediating device of the information mediator further comprises:

a charging function for charging an information delivery fee on a specific passenger having received the specific taxi information, or a specific taxi having received the specific passenger information, or both of the passenger and the taxi [...passenger or driver billing information; see col. 5, lines 58-65].

Regarding to claim 8, Paul discloses wherein the information mediating device of the information mediator further comprises:

a communication portion, by which both a specific passenger having received the specific taxi information and a specific taxi having received the specific passenger information are enabled to telephone each other via the Internet [see col. 2, lines 18-24; col. 3, lines 13-15; 26-29 and figure 1].

Regarding to claim 9, Paul discloses wherein a specific taxi having received the passenger information has a car specifying function for displaying an ID specific to the specific passenger, the car specifying function being configured such that the passenger may visually recognize the ID displayed in the car specifying function, or a predetermined signal is sent to the passenger when the taxi approaches the passenger at a predetermined distance, whereby the passenger can confirm the specific taxi mediated by the information mediating device [for example: confirmation telephone call or signal is sent to the passenger such as "how close the driver is"; see col. 5, lines 25-26, lines 38-40].

Regarding to claim 11, Paul discloses an information mediating device of an information mediator for mediating operation service information among a group of user terminals, each terminal having a transmission and reception function via a communication network [see figure 1], the group of user terminals possessed by a group of passengers and a group of taxis, respectively, comprising:

an information storage portion, in which taxi information from a group of taxis waiting for passengers, or passenger information from a group of passengers waiting for taxis is stored [...data center stores taxi and passenger information; see col. 4, lines 31-37, col. 6, lines 58-64];

an information retrieval portion for retrieving specific taxi information, which satisfies a taxi selection condition received from a specific passenger, or specific passenger information, which satisfies a passenger selection condition received from a specific taxi, among the stored taxi information, or the stored passenger information, and [...data center retrieve information from passenger after sending the number of option for pickup such as type of vehicle, time and location; then data center will determine the most appropriate taxi for the passenger base on his/her specific request; see col. 3, lines 40-51; col. 4, line 11-19 and figure 2];

an information distribution portion for distributing the retrieved specific taxi information, or the retrieved specific passenger information to the specific passenger, or the specific taxi via the network [...for example data center distributes the specific taxi information to the passenger such as the price, driver experience , safety record etc.. ; see col. 3, lines 52-56, lines 63-65].

Regarding to claim 12, Paul discloses a user terminal comprising:

a connection to an information mediating device through communication lines to obtain operation service information and capable of retrieving specific taxi information, which satisfies a taxi selection condition designated by a passenger, or specific passenger information, which satisfies a passenger selection condition designated by a taxi [...center server 130 and 125 over wireless network 120 and Internet; see col. 3, lines 26-32; figures 1 and 2].

Regarding to claim 13, Paul discloses further capable of automatically or manually forwarding information of a present location of the taxi or passenger to the

information mediating device [...for example passenger enter information, driver manually transmit positional information to the data center; see col. 3, lines 44-48; col. 4, lines 40-42].

Regarding to claim 14, Paul discloses an operation service information mediating method of mediating to passengers, operation service information among a group of user terminals, each terminal having a transmission and reception function via a communication network, the group of user terminals possessed by a group of passengers and a group of taxis [see figure 1], the method comprising the steps of:

receiving a taxi selection condition from a specific passenger [...taxi selection condition such as safety record, type of vehicle, class of service; see col. 3, lines 44-51].

retrieving specific taxi information, which satisfies the taxi selection condition, from among stored taxi information, and storing the taxi selection condition from the specific passenger as passenger information together with contact address information designated by the passenger when the specific taxi information cannot be extracted from among the stored taxi information, and repeating the retrieval for a predetermined period of time [...data center retrieve information from passenger after sending the number of option for pickup such as type of vehicle, time and location; then data center will determine the most appropriate taxi for the passenger base on his/her specific request; information of both passenger and taxi is kept confidential at the data center; information is transmitted to the data center in the periodic basic; see col. 3, lines 40-51; col. 4, lines 11-19; lines 40-43 col. 5, lines 10-15; and figure 2].

distributing results of the retrieval to the specific passenger via the network [...distribute a confirmation code to passenger and driver; see col. 5, lines 50-57].

Regarding to claim 15, Paul discloses an operation service information mediating method of mediating to taxis, operation service information among a group of user terminals, each terminal having a transmission and reception function via a communication network the group of terminals possessed by a group of passengers and a group of taxis, respectively, the method comprising the steps of:

receiving a passenger selection condition from a specific taxi [...passenger selection condition such as location, quoted price, number of passengers; see col. 4, lines 16-23].

retrieving specific passenger information, which satisfies the passenger selection condition, from among stored passenger information, and storing the passenger selection condition from the specific taxi as taxi information together with contact address information designated by the taxi when the specific passenger information cannot be extracted from among the stored passenger information, and repeating the retrieval for a predetermined period of time [...data center retrieve information from driver after sending the number of option for pickup such as type of vehicle, time and location; then data center will determine the most appropriate passenger for the taxi; information of both passenger and taxi is kept confidential at the data center; information is transmitted to the data center in the periodic basic; see col. 4, lines 36-50, col. 5, lines 10-15; and figure 2]; and

distributing results of the retrieval to the specific taxi via the network [...distribute a confirmation code to passenger and driver; see col. 5, lines 50-57].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Paul (US Patent 6356838).

Regarding to claim 10, Paul discloses the claimed subject mater as stated above. However, it is silent as to the specifics of information of the car specifying function comprise a light sign display board.

Paul discloses a transportation service [see figures 1 and 2].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to recognize that having the taxi service sign display on vehicle during the service in order for passenger to distinguish from other vehicles.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. The US Patent to Ayed discloses a system and method for dispatcher free vehicle allocation.

The US Patent to Ur discloses a method for establishing a connection between a client and one of a plurality of mobile providers of a service.

The US Patent Application Publication to Takanashi discloses the vehicle dispatching system.

The US Patent Application Publication to Lee discloses a method of providing an automatic connection service for taxis using a communication network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy-Vi Nguyen whose telephone number is 571-270-1614. The examiner can normally be reached on Monday through Thursday from 8:30 A.M to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrence Till can be reached on 571-272-1280. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Terrence Till

Supervisory Patent Examiner

TN